IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS

VALERO ENERGY CORPORATION)	
Plaintiff,)	
v.)	Case No. 7:17-CV-00004-O
U.S. ENVIRONMENTAL PROTECTION AGENCY, et al.,)))	
Defendants.))	

DEFENDANTS' MOTION TO DISMISS

Defendants United States Environmental Protection Agency and Scott Pruitt, in his official capacity as Administrator of the United States Environmental Protection Agency, hereby move to dismiss the Complaint for improper venue pursuant to Rule 12(b)(3) and lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, for the reasons stated in the attached memorandum.

Dated: March 27, 2017 Respectfully submitted,

JEFFREY H. WOOD

Acting Assistant Attorney General Environment and Natural Resources Division

s/ Lisa Bell

Lisa Bell

U.S. Department of Justice

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CERTIFICATE OF SERVICE

On March 27, 2017, I electronically submitted the foregoing document with the Clerk of

the Court for the U.S. District Court for the Northern District of Texas, using the electronic case

filing system of the Court. I hereby certify that I have served all counsel of record electronically.

s/ Lisa Bell

Lisa Bell, Trial Attorney